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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,796	10/17/2000	Craig L. Ogg	39477/RRT/S850	3181
23363	7590	10/31/2008	EXAMINER	
CHRISTIE, PARKER & HALE, LLP PO BOX 7068 PASADENA, CA 91109-7068				AUGUSTIN, EVENS J
ART UNIT		PAPER NUMBER		
3621				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/690,796	OGG, CRAIG L.	
	<b>Examiner</b>	<b>Art Unit</b>	
	EVENS J. AUGUSTIN	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 18 July 2008.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1,5-10,17,22,42,50-52 and 55-59 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1,5-10,17,22,42,50-52 and 55-59 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date 07/18/2008.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### *Acknowledgements*

1. This is in response to an amendment filed on July 18<sup>th</sup>, 2008. Claims 1 and 50 have been amended. Claims 1, 5-10, 17, 22, 42, 50-52, and 55-59 are pending.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 6-10, 17, 22, 42, 50-52, and 55-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis et al. (U.S 6233565), in view of Rubin et al. (U.S 5809140).

4. As per claims 1, 6-10, 17, 22, 42, 50-52, and 55-59, Lewis et al. disclose an invention that comprises of the following:

A. Interfacing with one or plurality of client system (col. 6, lines 49-56, col. 5, lines 30-32) (“**a client system for interfacing with a plurality of users**”)

B. A server communicating with client(s) over the internet (col. 5, lines 33-37). The server system can also be a combination of servers as shown in figure 2 and col. 7, lines 35-36 (“**a server system for communicating with the client system over a communication network**”)

C. Server comprising a database (col. 5, lines 34) for retrieving customer/user information (col. 14, lines 55-61), the server is a Postal Secure Device (col. 13, lines 36-37), and therefore the database that resides in the server is secure (col.31, ll.30-32) (“**a secure database remote from the users including a data record for each of the users**”)

D. Server module includes services such as authentication (col. 24, lines 64, col. 28, lines 13-19), indicium generation (col. 28, 29-31) – Part of the indicium generation is to process the value/rate of indicium (col. 31, lines 30-32, lines 41-44). The services are performed by a collection of routines and data structures that performs a particular task or implements a particular abstract data type. For example, system includes an authentication (col. 4, lines 20-23), a hash module for performing a hash algorithm based on an input data (col. 5, lines 12), encryption/decryption module for encrypting and decrypting at least one of the client private key and client public key based on said hash (col. 5, lines 15-17) – Invention also includes that the module is an executable program (col. 33, line 7) – (“**a plurality of cryptographic modules, each of the plurality of cryptographic modules for authenticating, processing value for the VBI, and generating indicia data for the plurality of users, wherein before each of the authentication, processing value, and generating indicia data for a given user is performed, the respective cryptographic module retrieves the data record for the given user directly from the database**”)

E. Each transaction/transaction request is recorded/stored in the transaction database (col. 4, lines 28-30). The current transaction/request is the first set of transaction.

(“**database stores a first set of one or more last database transactions**”) – During each transaction for postage, the user’s account is debited for the transaction amount/postage (col. 12, lines 23-30). If the postage exceeds the available amount (second set of previous transactions), an insufficient postage/funds error is given to the user, thereby preventing the current transaction to take place (“**prevents further database transactions if the second set of one or more last transaction**”) (col. 19, lines 33-36) (there has to be a comparison between the amount requested/first transaction and the available amount/previous transaction in order to determine whether or not the amount is sufficient; retrieving the sets of data is also inherent) (“**modules stores a second set of one or more last database transactions for comparison with the first set of one or more last database transactions stored in the database to verify each database transaction**”)

F. Updating record in a database (col. 11, lines 37, col. 16, lines 40, col. 17, line 31, 59, col. 18, line 7, col. 36, line 15) (“**updating, and storing back in the database, the updated data record for the given user after generating indicia data for the given user**”)

G. The prior art contains Structured Query Language/relational database (col. 14, lines 55-61), which necessarily has tables (“**the database stores a table including the respective information about a last transaction and a verification module to compare the information saved in the module with the information saved in the database**”)

H. Periodic backup of the data stored in the database (col. 19, lines 27-32), in a log server (col. 12, lines 63-67 – see also table I, in column 7-10) (“**back up database server connected to the server system for periodically backing up the data stored in the database in a back up database**”)

I. Server module to encrypt sensitive information in the servers (col. 24, lines 54-67) – (“**cryptographically protected transaction log stored in the back up database**”)

J. Determining the validity of transaction data (col. 25, lines 20-22) (“**data validation**...”, the server automatically records various data and stores them on the log server (col. 35, lines 52-54) – Implicitly, data can automatically be recovered (“**auto-recovery subsystem**...”))

K. If a module/computer code enters the Error State, the module will no longer perform cryptographic functions (col. 34, lines 2-6, col. 24, lines 10-15) (“**a computer executable code for detecting errors and preventing a compromise of data or critical cryptographic security parameters as a result of the errors**”)

L. A Postal security device/subsystem (col. 3, line 59), which resides in Remote Service Provider (RSP) server (col. 3, lines 65-66) (“**one or more of a postal server subsystem, a provider server subsystem**”), a transaction/commerce server/subsystem taking place over the internet (col. 4, lines 12-16) (“**e-commerce subsystem**”), a staging server/subsystem (col. 18, line 23) (“**staging subsystem**”), client support functions (col. 21, line 63) (“**a client support subsystem**”) - On a periodic basis (e.g., 12:00 midnight every day) the server 4 system can run an agent that reviews all log database tables that have changed during the prior 24-hour period.

Any changes that have been made are analyzed and matched to the customer record found in the Master Database 305. Purchase, spoilage, and refund information will be marked for a batch transmission to TPS (col. 37, lines 54-60) – In that sense, the system helps with analysis and decision making, and is therefore a Decision Support, System (Per above definition) (“**a decision support subsystem**”), E-mail capability (col. 11, lines 44), in a TC/IP environment (col. 5, lines 59-62) – SMPT is inherent (“**a SMTP subsystem**”), filter out traffic, except to a particular address (address matching) (col. 8, lines 26-27) (“**an address matching service subsystem**”), Secure Socket layer for securing transactions (col. 14, lines 38-39, col. 15, lines 45, col. 29, line 60) (“**a SSL proxy server subsystem**”) and a web server (col. 7, line 36, col. 8, line 12, col. 11, line 31) (“**and a web server subsystem**”)

Lewis, however did not explicitly teach a system that makes uses of stateless devices. However, Rubin’s an invention teaches stateless devices which include only limited memory, processing and input/output capabilities (C4, L1-2). According to Rubin, the present invention is also particularly well-suited for use with multiple servers corresponding to multiple replications of the above-described stateless server (C10, L7-10). The stateless device stores a secret/private key (C3, L56).

Therefore it would have been obvious for one skilled art at the time of applicant’s invention to employ stateless devices in certain instances because on of the advantage of using stateless devices is that they don’t rely on previous information (claims 3, 12, 17).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis et al. (U.S 6233565), in view of Rubin et al. (U.S 5809140), and in further view of Bosen et al. (U.S 5060263).

As per claim 5, the invention by Lewis and Rubin has previously been disclosed.

7. Although Lewis et al. teaches the aspect of obtaining a password from the user (col. 2, line 35, col. 5, line 12), Lewis et al. did not explicitly describe asynchronous dynamic password. However, Bosen et al. teaches the aspect of asynchronous dynamic password (column 2, lines 1-14, col. 4, lines 6-14). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the applicant's invention to construct a system that would employ asynchronous dynamic password. According to Bosen et al., one skilled in the art would have been motivated to do because asynchronous dynamic password reduces the number of keystrokes required of its users, and yet provides a much higher level of security than previous systems (col. 4, lines 9-11).

***Response to Arguments***

Applicant's arguments with respect to claims 1, 5-10, 17, 22, 42, 50-52, and 55-59 have been considered but are moot in view of the new ground(s) of rejection, necessitated by applicant's amendment.

**Conclusion**

8. **THIS ACTION IS MADE FINAL.** Any new ground(s) of rejection is due to the applicant's amendment. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
9. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EVENS J. AUGUSTIN whose telephone number is 571-272-6860. The examiner can normally be reached on 10am - 6pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on (571)272-6779.

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